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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Kenneth Charles Wurtzel and Jeffrey Lawrence Daecher  
Serial No. : 10/789,109 / Conf. No. 7592  
Filed : February 26, 2004  
Title : COSMETIC CONTAINERS  
Examiner :  
Art Unit : 1772  
Attorney Docket : AC0522US (#90613)

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 CFR 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Under the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, Applicant would like to call the Examiner's attention to the references listed on the attached Form PTO-1449. Copies of relevant pages from the cited web sites and brochures are enclosed.

In accordance with 37 C.F.R. 1.97(b)(1), this Information Disclosure Statement is being filed before the issuance of a first Official Action on this application.

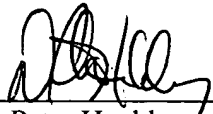
In accordance with 37 C.F.R. 1.97(g) and 37 C.F.R. 1.97(h), filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made and shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 34 C.F.R. 1.56(b).

The Examiner is requested to make the noted references of record and to consider these references along with such other references deemed pertinent as a result of the Examiner's own

independent search and examination.



Respectfully submitted,

By:   
D. Peter Hochberg  
Reg. No. 24,603

DPH/JR/ck

Att. - PTO-1449 w/pages from cited web sites and brochures

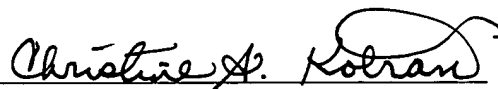
D. Peter Hochberg Co., L.P.A.  
1940 East Sixth Street - 6<sup>th</sup> Floor  
Cleveland, OH 44114  
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**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

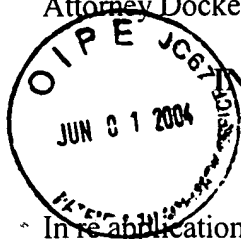
I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 27, 2004

  
Christine A. Kotran

Form PTO-1449

Attorney Docket AC0522US (#90613)



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INFORMATION DISCLOSURE CITATION

In re application of: Kenneth Charles Wurtzel and Jeffrey Lawrence Daecher

Serial No: 10/789,109 / Conf. No. 7592 Group No.: 1772

Filed: February 26, 2004 Examiner:

For: COSMETIC CONTAINERS

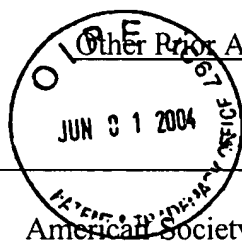
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

U.S. Patent Documents

Examiner Initial	Document Number	Date	Name
_____	6,068,936	05/30/2000	Pfeiffer et al.
_____	6,316,560	11/13/2001	Jacobs et al.
_____	6,342,549	01/29/2002	Hirose et al.
_____	6,365,686	04/02/2002	Jacobs et al.

Foreign Patent Documents

Examiner Initial	Document Number	Date	Country	Translation (Yes/No)
_____				
_____				



Other Prior Art (Inc. Author, Title, Date, Pertinent Pages, Etc.)

Examiner  
Initial

Document

\_\_\_\_ American Society for Testing and Materials, "Standard Test Method for Yellowness Index of Plastics," *ASTM Designation: D 1925 – 70*, pp. 77, 78, and Appendix, "XI. Derivation of Equations for Calculation of Yellowness Index from Photoelectric Tristimulus Colorimeter Measurements." March, 1970, West Conshocken, PA

\_\_\_\_ Worchester Polychester Institute, Dunn, Sean, "Digital Color," <http://davis.wpi.edu/~matt/courses/color/> (8 pages), 2/17/1999, Worchester, MA

\_\_\_\_ Forse, Brian (author and publisher), "Theories of Human Color Perception," *Psychology 1*, <http://www.bforse.org/psych.htm>, prior to February 24, 2003, Santa Cruz, CA

\_\_\_\_ University of North Carolina, "Sensation & Perception," <http://www.unc.edu/~coolsen/psych10/sensationperception.html> (5 pages) , prior to February 24, 2003, Chapel Hill, NC

\_\_\_\_ York University, "Opponent Processing Theory of Color Vision," <http://www.yorku.ca/eye/opponent.htm>, prior to February 24, 2003, Toronto, Ontario

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\_\_\_\_ Macalester College, "Form Perception" and "Color Perception," *Visual Perception*, <http://www.macalester.edu/~psych/whathap/UBNRP/aesthetics/perception.html>, pp. 1 and 5-12, prior to February 24, 2003, St. Paul, MN

\_\_\_\_ Henderson State University, "The Opponent Process Theory," <http://www.hsu.edu/faculty/langlet/lectures/senses/-sld011.htm> (slide 11 of 37) prior to February 24, 2003, Arkadelphia, Arkansas

\_\_\_\_ Clariant Plastics, "Polysynthren Blue R" Product Data Sheet – Dyes for Plastics, October 8, 2001 ed.

\_\_\_\_ Clariant Plastics, "Hostaprint Blue A2R 32" Product Data Sheet – Pigment Preparations for PVC & Elastomers, October 15, 2001 ed.

\_\_\_\_ Clariant Plastics, "Hostaprint Blue A4R 32" Product Data Sheet – Pigment Preparations for PVC & Elastomers, October 15, 2001 ed.



- \_\_\_\_\_ Clariant Plastics, "Sandoplast Blue 2B" Product Data Sheet – Dyes for Plastics, November 29, 2001 ed.
- \_\_\_\_\_ Clariant Plastics, "Graphtol Blue AN" Product Data Sheet – Organic Pigments for Plastics, June 27, 2002 ed.
- \_\_\_\_\_ Clariant Plastics, "PV Fast Blue A2R" Product Data Sheet – Organic Pigments for Plastics, July 26, 2002 ed.
- \_\_\_\_\_ Clariant Plastics, "PV Fast Blue BG" Product Data Sheet – Organic Pigments for Plastics, August 20, 2002 ed.
- \_\_\_\_\_ Clark, Austen, "Color Perception (in 3000 Words)," *A companion to Cognitive Science*, Blackwells, 1998, William Bechtel and George Graham ed..
- \_\_\_\_\_ Ticona, *Topas® Cyclic Olefin Copolymers*, 2001 brochure.
- \_\_\_\_\_ Ticona, *Topas® Thermoplastic Olefin Polymer of Amorphous Structure (COC)*, August, 2000 brochure.

Examiner:

Date Considered:

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\*\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.